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## Union Calendar No. 153

97TH CONGRESS 1ST SESSION

## H. J. RES. 325

[Report No. 97-223]

Making continuing appropriations for the fiscal year 1982, and for other purposes.

## IN THE HOUSE OF REPRESENTATIVES

**SEPTEMBER 11, 1981** 

Mr. WHITTEN (for himself and Mr. CONTE) introduced the following joint resolution; which was referred to the Committee on Appropriations

SEPTEMBER 14, 1981

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

## JOINT RESOLUTION

Making continuing appropriations for the fiscal year 1982, and for other purposes.

- 1 Resolved by the Senate and House of Representatives
- 2 of the United States of America in Congress assembled,
- 3 That the following sums are appropriated, out of any money
- 4 in the Treasury not otherwise appropriated, and out of appli-
- 5 cable corporate or other revenues, receipts, and funds, for the
- 6 several departments, agencies, corporations, and other orga-

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1	nizational units of the Government for the fiscal year 1982,
2	and for other purposes, namely:
3	SEC. 101. (a)(1) Such amounts as may be necessary for
4	continuing projects or activities (not otherwise specifically
5	provided for in this joint resolution) which were conducted in
6	the fiscal year 1981 and for which appropriations, funds, or
7	other authority would be available in the following appropri-
8	ations Acts:
9	Departments of Commerce, Justice, and State,
10	the Judiciary, and Related Agencies Appropriation
11	Act, 1982, notwithstanding section 15(a) of the State
12	Department Basic Authorities Act of 1956 and section
13	701 of the United States Information and Educational

District of Columbia Appropriation Act, 1982;

Exchange Act of 1948, as amended;

- Departments of Labor, Health and Human Serv-
- ices, and Education, and Related Agencies Appropri-
- 18 ation Act, 1982;
- Military Construction Appropriation Act, 1982;
- 20 and

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- Department of Transportation and Related Agen-
- cies Appropriation Act, 1982.
- 23 (2) Appropriations made by this subsection shall be
- 24 available to the extent and in the manner which would be
- 25 provided by the pertinent appropriation Act.

1	(3) Whenever the amount which would be made availa-
2	ble or the authority which would be granted under an Act
3	listed in this subsection as passed the House as of October 1,
4	1981, is different from that which would be available or
5	granted under such Act as passed by the Senate as of Octo-
6	ber 1, 1981, the pertinent project or activity shall be contin-
7	ued under the lesser amount or the more restrictive author-
8	ity: Provided, That where an item is included in only one
9	version of an Act as passed by both Houses as of October 1,
10	1981, the pertinent project or activity shall be continued
11	under the appropriation, fund, or authority granted by the
12	one House, but at a rate for operations not exceeding the
13	current rate or the rate permitted by the action of the one
14	House, whichever is lower, and under the authority and con-
15	ditions provided in applicable appropriation Acts for the fiscal
16	year 1981.
17	(4) Whenever an Act listed in this subsection has been
18	passed by only one House as of October 1, 1981, the perti-
19	nent project or activity shall be continued under the appropri-
20	ation, fund, or authority granted by the one House, but at a
21	rate for operations not exceeding the current rate or the rate
22	permitted by the action of the one House, whichever is
23	lower, and under the authority and conditions provided in
24	applicable appropriation Acts for the fiscal year 1981: Pro-
25	vided, That for the purposes of this joint resolution, when an

1	Act listed in this subsection has been reported to the House
2	but not passed by the House as of October 1, 1981, it shall
3	be deemed as having been passed by the House.
4	(5) No provision which is included in an appropriation
5	Act enumerated in this subsection but which was not includ-
6	ed in the applicable appropriation Act of 1981, and which by
7	its terms is applicable to more than one appropriation, fund,
8	or authority shall be applicable to any appropriation, fund, or
9	authority provided in the joint resolution unless such provi-
10	sion shall have been included in identical form in such bill as
11	enacted by both the House and the Senate.
12	(b) Such amounts as may be necessary for continuing
13	the following activities, not otherwise provided for, which
14 <sup>.</sup>	were conducted in the fiscal year 1981, at a rate for oper-
15	ations not in excess of the current rate or the rate provided
16	for in the budget estimate, whichever is lower, and under the
17	more restrictive authority—
18	activities for which provision was made in the De-
19	partment of Defense Appropriation Act, 1981; and
20	activities for which provision was made in section
21	101(b) of Public Law 96-536 regarding foreign assist-
22	ance and related programs, notwithstanding section 10
23	of Public Law 91-672, and section 15(a) of the State
24	Department Basic Authorities Act of 1956.

1	(c) Notwithstanding the provisions of sections 102 and
2	106 of this joint resolution, such amounts as may be neces-
3	sary for continuing projects and activities under all the condi-
4	tions and to the extent and in the manner as provided in
5	H.R. 4120, entitled the Legislative Branch Appropriation
6	Act, 1982, as reported July 9, 1981; and the provisions of
7	H.R. 4120 shall be effective as if enacted into law; except
8	that the provisions of section 305 (a), (b), and (d) of H.R.
9	4120 shall apply to any appropriation, fund or authority
10	made available for the period October 1, 1981, through No-
11	vember 1, 1981, by this or any other Act.
12	(d) Such amounts as may be necessary for continuing
13	the following activities which were conducted in fiscal year
14	1981, but at a rate for operations not in excess of the current
15	rate—
16	activities of the Department of State for contribu-
17	tions to the United Nations Relief and Works Agency
18	for Palestinian Refugees notwithstanding section 10 of
19	Public Law 91-672, and section 15(a) of the State De-
20	partment Basic Authorities Act of 1956.
21	SEC. 102. Appropriations and funds made available and
22	authority granted pursuant to this joint resolution shall be
23	available from October 1, 1981, and shall remain available
24	until (a) enactment into law of an appropriation for any proj-
25	ect or activity provided for in this joint resolution, or (b) en-

- 1 actment of the applicable appropriation Act by both Houses
- 2 without any provision for such project or activity, or (c) No-
- 3 vember 1, 1981, whichever first occurs.
- 4 SEC. 103. Appropriations and funds made available or
- 5 authority granted pursuant to this joint resolution may be
- 6 used without regard to the time limitations for submission
- 7 and approval of apportionments set forth in section 665(d)(2)
- 8 of title 31, United States Code, but nothing herein shall be
- 9 construed to waive any other provision of law governing the
- 10 apportionment of funds.
- 11 SEC. 104. Appropriations made and authority granted
- 12 pursuant to this joint resolution shall cover all obligations or
- 13 expenditures incurred for any project or activity during the
- 14 period for which funds or authority for such projects or activi-
- 15 ty are available under this joint resolution.
- SEC. 105. Expenditures made pursuant to this joint res-
- 17 olution shall be charged to the applicable appropriation, fund,
- 18 or authorization whenever a bill in which such applicable ap-
- 19 propriation, fund, or authorization is contained is enacted into
- 20 law.
- 21 Sec. 106. No appropriation or fund made available or
- 22 authority granted pursuant to this joint resolution shall be
- 23 used to initiate or resume any project or activity for which
- 24 appropriations, funds, or other authority were not available
- 25 during the fiscal year 1981.

1	SEC. 107. Any appropriation for the fiscal year 1982
2	required to be apportioned pursuant to section 665 of title 31,
3	United States Code, may be apportioned on a basis indicating
4	the need (to the extent any such increases cannot be absorbed
5	within available appropriations) for a supplemental or defi-
6	ciency estimate of appropriation to the extent necessary to
7	permit payment of such pay increases as may be granted
8	pursuant to law to civilian officers and employees and to
9	active and retired military personnel. Each such appropri-
10	ation shall otherwise be subject to the requirements of section
11	665 of title 31, United States Code.
12	SEC. 108. All obligations incurred in anticipation of the
13	appropriations and authority provided in this joint resolution
14	for the purposes of maintaining the minimum level of essen-
15	tial activities necessary to protect life and property and
16	bringing about orderly termination of other functions are
17	hereby ratified and confirmed if otherwise in accordance with
18	the provisions of this joint resolution.
19	Sec. 109. No provision in any appropriation Act for the
90	fiscal year 1982 that makes the availability of any appropri-
21	ation provided therein dependent upon the enactment of addi-
22	tional authorizing or other legislation shall be effective before
23	the date set forth in section 102(c) of this joint resolution.
24	SEC. 110. To meet the emergency facing a number of

25 fruit producing States, particularly California, from the Medi-

- 1 terranean and other types of fruit flies, as well as the imme-
- 2 diate and long-range threat to the timber stands and the wa-
- 3 tersheds of the Northeastern United States and other areas
- 4 from the gypsy moth, as well as to meet threats from other
- 5 pests and diseases, the Secretary of Agriculture is authorized
- 6 to exercise the emergency authorities provided for in H.R.
- 7 4119 as passed the House of Representatives on July 27,
- 8 1981, in connection with the program of the Animal and
- 9 Plant Health Inspection Service, notwithstanding any other
- 10 provision of this joint resolution.